

Minutes of Special and Regular Meeting of August 28, 2018
City Hall, One Twin Pines Lane

CLOSED SESSION 6:30 P.M.

Conference With Legal Counsel (Govt Code Section 54956.9(d)(1))

Existing Litigation Conference, Baka v. City of Belmont, San Mateo Superior Court No. CIV 523248; (Marburger)

Conference With Legal Counsel (Govt Code Section 54956.9(d)(4))

Anticipated Litigation - Initiation of Litigation: One or more cases

ATTENDED BY: Councilmembers Lieberman, Hurt, Stone, Mates, Kim

ADJOURNMENT at this time, being 6:55 P.M.

Terri Cook
City Clerk

CALL TO ORDER 7:05 p.m.

ROLL CALL

COUNCILMEMBERS PRESENT: Lieberman, Hurt, Stone, Mates, Kim

COUNCILMEMBERS ABSENT: None

PLEDGE OF ALLEGIANCE

Led by Administrative Battalion Chief Kent Thrasher

REPORT FROM CLOSED SESSION

City Attorney Rennie stated there were no reportable actions from the Closed Session held earlier.

SPECIAL PRESENTATIONS

Oath of Office to Four New Police Officers

Police Chief DeSmidt introduced the four new Dan officers and noted that all were working and are currently in their field training phase. City Clerk Cook administered the Oath of Office and members of the officers' families pinned their badges.

Recognition of National Night Out Event Hosts

Police Chief DeSmidt provided a summary of the recent National Night Out and noted that Belmont had 14 event locations this year. He and Corporal Branch handed certificates to the event hosts that were present in the Chambers.

RECESS: 7:25 P.M.

RECONVENE: 7:35 P.M.

COMBINED AGENCY MEETING

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PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Kathleen Beasley, Belmont Library Manager, outlined the Library's upcoming programs and activities.

COUNCILMEMBER ANNOUNCEMENTS

Councilmember Stone announced the upcoming Save the Music and Bagpiper Bash for Carlmont Academic Foundation events. He thanked staff for its efforts regarding the oversight of Public Works projects and coordinating with the opening of schools.

Councilmember Lieberman announced an upcoming ribbon cutting for new business in Belmont, Bottle & Bottega.

Councilmember Hurt announced an upcoming traffic calming committee meeting for the downtown neighborhood.

Mayor Kim stated that he and others attended NDNU's (Notre Dame de Namur University) Move-in Day. He announced the upcoming movie nights in the park and the Greek Festival. He noted the ongoing input being sought for the Twin Pines Park Master Plan. He stated that C/CAG would be hosting a workshop regarding proposed carpool or toll lanes on Highway 101.

ITEMS APPROVED ON CONSENT CALENDAR

Resolution 2018-070 accepting work and authorizing the issuance of a Notice of Completion for the Old County Road Street Light Improvements Project, City Contract Number 2017-556 for a final contract cost of \$537,185.86

Resolution 2018-071 authorizing the acquisition of six City vehicles and associated equipment for a total amount not to exceed \$322,000

Motion to approve the City of Belmont's response to the San Mateo County Civil Grand Jury Report "Law Enforcement Officers + Narcan = Lives Saved From Opioid Overdoses"

Motion to approve the City of Belmont's response letter to the San Mateo County Civil Grand Jury Report "Smoke-Free Multiunit Housing: No Ifs, Ands, Or Butts"

Resolution 2018-072 authorizing the City Manager to execute a task order with RSG, Inc. to provide economic development advisory services

Ordinance 2018-1133 Changing Regulations Regarding Floor Area Transfer within HRO2 as introduced on August 14, 2018

Resolution 2018-073 approving a three (3) year Memorandum of Understanding between the City of Belmont and the American Federation of State, County, and Municipal Employees (AFSCME)

ACTION: on a motion by Councilmember Stone, seconded by Councilmember Hurt, the Consent Agenda was unanimously approved. Mayor Kim noted his recusal on adoption of Ordinance 2018-1133.

OTHER BUSINESS

Extension of the Solid Waste Collection Services Franchise Agreement

Finance Director Fil provided a history of ongoing discussions for an extension of the existing franchise agreement with Recology. He pointed out that the City of Belmont has a unique agreement with Recology that addresses risk. He outlined components that comprise a new agreement which includes a rate-smoothing arrangement to address spikes in rate increases.

Solid Waste Consultant Korn provided a summary of negotiation and outlined key objectives for extending the contract. He described the transition to rates for 2020 and beyond. He provided an overview of the approach to the current rate-setting methodology and described key elements of a new 15-year franchise agreement. He outlined JPA-wide service changes provided in the new agreement. He described the actual cost to service the 20-gallon cart versus the rate imposed, and noted the proposed rate stabilization fee (RSF) as a means to offset the subsidy. He noted the RSF that will be enacted for all rates, and outlined the rate-setting process in year 2022 and beyond. He pointed out that the Proposition 218 process would continue to be used for annual rate setting.

Mike Kelly, Recology General Manager, expressed appreciation for the collaborative process.

In response to Councilmember Lieberman, Mr. Kelly confirmed that there is no fee for replacement of a damaged cart. He also confirmed that all cities will experience new costs in 2021, and noted that Belmont has benefitted from the cost formula that was included in the 2010 agreement.

In response to Mayor Kim regarding the issue of disposables to China, Mr. Korn indicated this could result in an increase in rates.

Councilmember Hurt commented regarding the complexity of the contract. She pointed out that Recology has stable operations. She noted that performance audits indicate very few complaints. She expressed her sensitivity to cost increases and the issue with commodities.

Councilmember Stone noted that it is meaningful to him that Councilmember Hurt, as a board member of the JPA, supports the proposed agreement. He expressed support for the effort to have 20 gallon customers pay their fair share, and noted that Recology provides good customer service.

Councilmember Lieberman expressed support for the retention of certain contract provisions for Belmont. He commented regarding the high level of customer service, and pointed out that very few complaints are received compared with the previous operator.

Councilmember Mates noted that there are no public speakers this evening, and the City Council has received no complaints. She noted that if there were a problem, the City Council would hear about it.

Mayor Kim noted that rates would likely increase much higher if the current provider was not doing a good job. He pointed out that cities would need to go out and procure another provider.

ACTION: On a motion by Councilmember Hurt, seconded by Councilmember Mates, Resolution

2018-074 authorizing the City Manager to finalize and execute the Amended and Restated Franchise Agreement with Recology of San Mateo County for Recyclable Materials, Organic Materials, and Solid Waste Collection Services

Youth Advisory Committee (YAC) Appointment Process and Term Length

Parks and Recreation Director Shearer provided a history of the two-year program following the establishment of the Youth Advisory Committee (YAC). She recommended that staff participate in the appointment process, and that the terms of office be two years.

Councilmember Hurt stated she had no strong feeling regarding the interview or appointment process. She pointed out that the City Council liaisons to YAC could be part of the interview process. She expressed concern regarding the proposed two- year term, as she would like to enable participation by as many youths as possible.

Mayor Kim expressed support for staff performing the interviews. He pointed out the difficulty in scheduling if the City Council does the interviews. He expressed concern that some youth may not want to commit to two years. He expressed support for a one-year term with the ability to reappoint for a subsequent year if there aren't enough new members.

Councilmember Stone stated that the City Council liaisons should be involved in the interview process. He expressed support for one-year terms, and would like to review the scope of YAC and its goals and purpose.

Councilmember Mates expressed support for some level of City Council participation in interviews and supports one-year terms. She would like to provide an opportunity for more participation and would like to discuss the goals of YAC.

Councilmember Lieberman expressed support for staff handling the interview process and not involving the City Council. He noted that the City Council liaisons can have a positive influence with the group and can help set their agenda. He stated he could support staggered terms, and that those in two-year terms could mentor new members. He commented that if this is not feasible, he would support one-year terms.

Recreation Supervisor Moran stated that the deadline for applications is August 31, and nine applications have been received. He noted the time sensitivity of getting members appointed due to an early October event, which the YAC needs to help coordinate and plan. He described bylaws that provide for the addition of members year-round. He proposes to include Council liaisons in the interview process.

Discussion ensued regarding the liaisons participating in the interview process.

ACTION: Councilmember Stone made a motion, seconded by Mayor Kim, to maintain one-year terms, have City Council liaisons work with staff to select members, and work with staff to bring this matter back for a more thorough discussion regarding YAC. Councilmember Lieberman

offered a friendly amendment to give the liaisons discretion to appoint for one- or two-year terms. Councilmember Stone and Mayor Kim accepted the amendment to the motion. Motion passed unanimously.

COMMISSION, COMMITTEE, AND COUNCIL INTERGOVERNMENTAL ASSIGNMENT UPDATES, AND STAFF ITEMS

Verbal report from Councilmembers on Intergovernmental (IGR) and Subcommittee Assignments

Councilmember Lieberman reported on a recent Silicon Valley Clean Water meeting.

Mayor Kim reported on a C/CAG meeting and a Placemaking subcommittee meeting.

Verbal report from City Manager

City Manager Scoles noted that the PERS issue relative to the new fire joint powers agreement has been resolved. He announced Administrative Fire Chief Thrasher's promotion. He provided an update on Public Works projects. He announced the upcoming coastal cleanup day.

MATTERS OF COUNCIL INTEREST/CLARIFICATION

Mayor Kim expressed a desire for a future discussion regarding electric vehicle charging stations.

ADJOURNMENT at this time, being 9:15 P.M. in memory of Belmont resident John Christgau, author and educator.

Terri Cook
City Clerk

Meeting recorded and videotaped.